

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Renata Maria Anna CAVALIERE VESELY et al.

ATTN: APPLICATION BRANCH

SERIAL NUMBER 08/813,776

FILED: March 7, 1997

FOR: STRAINS OF BACTERIA AND PHARMACEUTICAL COMPOSITION CONTAINING ONE OR MORE OF SUCH STRAINS AND USE OF SAME FOR PREVENTING AND TREATING DISEASES ASSOCIATED WITH OR CAUSED BY ALTERED METABOLISM OF BILE ACIDS

FILING OF DECLARATION UNDER 37 CFR 1.53(D)

Assistant Commissioner for Patents  
Washington, D. C. 20231

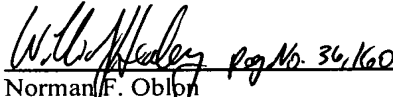
Sir:

Responsive to the notification dated May 21, 1997, and in accordance with the provisions of 37 CFR 1.53(d), Applicants submit herewith a Rule 63 Declaration.

The required fee is enclosed herewith.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,  
OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P. C.

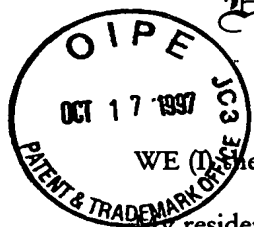
  
Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Stephen G. Baxter, Ph.D.  
Registration No. 32,884

Fourth Floor  
1755 Jefferson Davis Highway  
Arlington, Virginia, 22202  
(703) 413-3000/ Fax No. (703) 413-2220

(OSMMN 1/97)

# Declaration, Power Of Attorney and Petition



Page 1 of 3

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STRAINS OF BACTERIA AND PHARMACEUTICAL COMPOSITION CONTAINING ONE OR MORE OF  
SUCH STRAINS AND USE OF SAME FOR PREVENTING AND TREATING DISEASES ASSOCIATED  
WITH OR CAUSED BY ALTERED METABOLISM OF BILE ACIDS

the specification of which

☐ is attached hereto.

☒ was filed on MARCH 7, 1997 as

Application Serial No. 08/813,776

and amended on \_\_\_\_\_.

☐ was filed as PCT international application

Number \_\_\_\_\_

on \_\_\_\_\_,

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
<u>MI96A000468</u>	<u>ITALY</u>	<u>11 MARCH 1996</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No



We (I) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

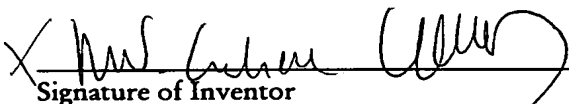
Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

And we (I) hereby appoint: Norman F. Oblon, Registration Number 24,618; Marvin J. Spivak, Registration Number 24,913; C. Irvin McClelland, Registration Number 21,124; Gregory J. Maier, Registration Number 25,599; Arthur I. Neustadt, Registration Number 24,854; Richard D. Kelly, Registration Number 27,757; James D. Hamilton, Registration Number 28,421; Eckhard H. Kuesters, Registration Number 28,870; Robert T. Pous, Registration Number 29,099; Charles L. Gholz, Registration Number 26,395; Vincent J. Sunderdick, Registration Number 29,004; William E. Beaumont, Registration Number 30,996; Steven B. Kelber, Registration Number 30,073; Robert F. Gnuse, Registration Number 27,295; Jean-Paul Lavalleye, Registration Number 31,451; Timothy R. Schwartz, Registration Number 32,171; Stephen G. Baxter, Registration Number 32,884; Martin M. Zoltick, Registration Number 35,745; Robert W. Hahl, Registration Number 33,893; Richard L. Treanor, Registration Number 36,379; Steven P. Weihrouch, Registration Number 32,829; John T. Goolkasian, Registration Number 26,142; Marc R. Labgold, Registration Number 34,651; William J. Healey, Registration Number 36,160; Richard L. Chinn, Registration Number 34,305; Steven E. Lipman, Registration Number 30,011; Carl E. Schlier, Registration Number 34,426; James J. Kulbaski, Registration Number 34,648; Catherine B. Richardson, Registration Number 39,007; Richard A. Neifeld, Registration Number 35,299; J. Derek Mason, Registration Number 35,270; and Jacques M. Dulin, Registration Number 24,067; our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to the firm of OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C., whose Post Office Address is: Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Renata Maria Anna CAVALIERE VESELY  
NAME OF FIRST ~~AND~~ INVENTOR

Residence: Via S. Orsola, 11  
MILANO- ITALY

X   
Signature of Inventor

Citizen of: ITALY

Post Office Address: Same as above

Date

Claudio DE SIMONE

NAME OF SECOND JOINT INVENTOR

Residence: Via Nuoro, 10ARDEA (ROMA) - ITALYCitizen of: ITALYPost Office Address: Same as above

Date

NAME OF THIRD JOINT INVENTOR

Residence: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Signature of Inventor

Date

NAME OF FOURTH JOINT INVENTOR

Residence: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Signature of Inventor

Date

NAME OF FIFTH JOINT INVENTOR

Residence: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Signature of Inventor

Date